

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Liao et al.

Application No. 10/581,570

Filed: June 2, 2006

Confirmation No. 3622

**FILED VIA EFS ON
November 17, 2009**

For: PRODUCTION OF 3-
HYDROXYPROPIONIC ACID USING
BETA-ALANINE/PYRUVATE
AMINOTRANSFERASE

Examiner: Kagnew H. Gebreyesus

Art Unit: 1656

Attorney Reference No. 8127-66576-05

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APPLICANTS' SUMMARY OF TELEPHONE INTERVIEW

On October 15, 2009, Applicants' representative had a telephone interview with Examiner Gebreyesus. The 35 U.S.C. § 112, first paragraph rejections were discussed, and Applicants noted that the % sequence identity was amended to recite 95% and the organism was amended to recite a prokaryotic organism. Applicants agreed to amend claim 40 and 41 to depend from claim 1 or cancel these claims. Applicants explained that there are other methods for distinguishing between the presence of lactic acid and 3-HP in a sample, and that the methods provided in the application are merely exemplary.

Respectfully submitted,

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